

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURN

See "Instructions for Service of Process by U.S. Marshal"

JDL's
#8

PLAINTIFF Dennis Faulkner, Trustee of the Heritage Creditor Trust	COURT CASE NUMBER 10-MP-00301
DEFENDANT Gary Kornman, et al,	TYPE OF PROCESS 3:10 mc 128-D Writ of Execution

SERVE AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
	VIN#JTJBT20X640025996, 2004 Lexus SUV Registered to: Vehicle Leasing Inc. Tex. License: BF8X062
	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) 3204 Skylane Dr., Carrollton, TX 75006

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW

Cox Smith Matthews Inc.
Attn. David Bryant
1201 Elm Street, Suite #3300
Dallas, Texas 75270

Number of process to be served with this Form 285

Number of parties to be served in this case

Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):

Fold

Fold

NOTE: The vehicles described in this writ have been observed at various locations in the Dallas area of north Texas. Please contact 972-322-7456 for accurate and current information prior to execution of writ. Second contact number is 281-679-0070 (Kimmons Security Service) on behalf of David Bryant of Cox Smith Matthews Inc. Dallas, Texas 214-698-7800

Signature of Attorney other Originator requesting service on behalf of:	<input type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER	DATE
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SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin	District to Serve	Signature of Authorized USMS Deputy or Clerk	Date
		No. _____	No. _____	<i>Paul Anderson</i>	5-11-10

I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☒ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)	<input type="checkbox"/> A person of suitable age and discretion then residing in defendant's usual place of abode						
Address (complete only different than shown above)	<table border="1"> <tr> <td>Date 5/21/10</td> <td>Time 10:41</td> <td><input checked="" type="checkbox"/> am <input type="checkbox"/> pm</td> </tr> <tr> <td colspan="3">Signature of U.S. Marshal or Deputy <i>A. Lopez</i></td> </tr> </table>	Date 5/21/10	Time 10:41	<input checked="" type="checkbox"/> am <input type="checkbox"/> pm	Signature of U.S. Marshal or Deputy <i>A. Lopez</i>		
Date 5/21/10	Time 10:41	<input checked="" type="checkbox"/> am <input type="checkbox"/> pm					
Signature of U.S. Marshal or Deputy <i>A. Lopez</i>							

Service Fee \$325.00	Total Mileage Charges including endeavors \$20.00	Forwarding Fee	Total Charges 345.00	Advance Deposits 550.00	Amount owed to U.S. Marshal* or (Amount of Refund*) 205.00
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REMARKS: 5/21/10 SEIZED LEXUS, PL-TOO REMOVED VEHICLE AND TRANSPORTED TO LOWE STAR AUCTIONEERS, INC.
2 DEPUTIES 1 HOUR, 20 MILES
9/30/10 LEXUS RELEASED TO RECEIVER FOR SALE.

PRINT 5 COPIES:

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

Dennis Faulkner, Trustee of the Heritage
Creditor Trust

Plaintiff,

vs.

Gary Kornman, et al.,

Defendants.

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No. 10-MP-00301

WRIT OF EXECUTION

TO ANY UNITED STATES MARSHAL IN THE STATE OF TEXAS:

WHEREAS on July 13, 2009, judgment was entered by the court in favor of Dennis Faulkner, Trustee for the Heritage Creditor Trust and against judgment debtor, Vehicle Leasing LLC, in the amount of \$7,902.00 plus costs ("Judgment Amount") with prejudgment and post-judgment interest as recited in the judgment, until paid;

WHEREAS according to an affidavit on the reverse side hereof, executed by or on behalf of the judgment creditor, there remains due and unpaid the following sums:

\$7,902.00 Damages

Pre-judgment interest at 5.00 percent per annum

Post-judgment interest at 0.53 percent per annum

\$64,687.85 Costs of Court

THEREFORE, YOU ARE COMMANDED that of the goods and chattels, lands and tenements of the said judgment debtor (including, but not limited to, a 2004 Lexus SUV with VIN JTJBT20X640025996 i/n/o Vehicle Leasing LLC) you cause to be made the full amount of said judgment, interest, and costs, with the further costs of executing this writ. HEREIN FAIL NOT, and have you the said monies, together with this writ, before this Court within ninety (90) days from the date of this writ.

WITNESS my hand and the seal of this court at Houston, Texas, this 15th day of April, 2010.

DAVID J. BRADLEY, CLERK

By: 

Deputy Clerk

AFFIDAVIT AND REQUEST FOR ISSUANCE OF WRIT OF EXECUTION

I, David Bryant, judgment creditor or duly authorized agent or attorney acting in the capacity specified under my signature, do hereby swear or affirm that all of the recitals on the reverse side of this instrument relating to the entry of judgment and costs are true and correct; and, after application of all credits, first against costs, second against accrued interest, and third against the judgment as entered, there remains unpaid and unsatisfied the sums specified, and that further interest will accrue as shown.

Dated March 31, 2010.

Signature and capacity in which signed: _____

David Bryant

David Bryant
Cox Smith Matthews Incorporated
1201 Elm Street, Suite 3300
Dallas, Texas 75270
214.698.7800
Attorney for Dennis Faulkner,
Trustee for the Heritage
Creditor Trust

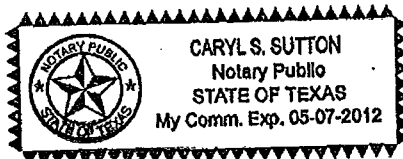
STATE OF TEXAS §
COUNTY OF DALLAS §

On this date there appeared before me, the undersigned authority, the person whose name is subscribed to the foregoing instrument and on his oath did swear or affirm that he has knowledge of the facts stated therein, that such facts are true and correct, and that he has authority to execute the instrument in the capacity stated therein.

Date: March 31, 2010

Caryl S. Sutton

Notary Public



MARSHAL'S RETURN

Received this writ at USMS N/TX, on MAY 11, 2010
and executed as follows:
5/21/10 SEIZED THE LEXUS SUV AND REMOVED IT TO LONE STAR AUCTIONEERS, INC.
9/30/10 LEXUS RELEASED TO RECEIVER FOR SALE.

UNITED STATES MARSHAL

By _____

[Signature]
Deputy Marshal